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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Rifida AGUNDEZ-Lara Defendant.	Mag. Case No. '08 MJ 8479 COMPLAINT FOR VIOLATION OF Title 8, U.S.C., Section 1326 Deported Alien Found In the United States

The undersigned complainant being duly sworn states:

On or about May 21, 2008, within the Southern District of California, defendant Rifida AGUNDEZ-Lara, an alien, who previously had been excluded, deported and removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and (557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.

Deportation Officer
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 29TH DAY OF MAY 2008.

PETER C. LEWIS
U. S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Rifida AGUNDEZ-Lara

STATEMENT OF FACTS

The complainant states that this complaint is based upon the statements of the apprehending Immigration Enforcement Agent M. Gallaga.

On May 21, 2008, the defendant, identified as Rifida AGUNDEZ-Lara, was arrested in Calexico, California, by the Calexico Police Department, for violation of 11378 H&S, Possession for Sale Methamphetamine, and 273(A) PC Child Endangerment.

Immigration Enforcement Agent M. Gallaga subsequently encountered the defendant in custody at the Imperial County Jail and placed an immigration detainer.

On May 27, 2008, the defendant was referred to the custody of United States Immigration and Customs Enforcement in Imperial, California. AGUNDEZ was arrested and taken to the Imperial Valley Immigration and Customs Enforcement Office for processing.

AGUNDEZ was transported to the El Centro Regional Medical Center due to stomach pains. AGUNDEZ is scheduled to have gall stone surgery on May 28, 2008.

Record checks of AGUNDEZ revealed she was previously ordered deported to Mexico by an Immigration Judge on June 24, 2002. Further record checks revealed AGUNDEZ has a criminal record.

There is no evidence that AGUNDEZ ever sought or received permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, for permission to re-enter the United States.

Based upon the foregoing information, there is probable cause to believe Rifida AGUNDEZ-Lara has illegally re-entered the United States after deportation, in violation of Title 8 of the United States Code 1326, Deported Alien Found in the United States.